

CHAPTER 2:01:13

POLICE CANINE TEAM CERTIFICATION

Section

2:01:13:01	Definitions.
2:01:13:02	Certification required.
2:01:13:03	Standards for certification as canine team.
2:01:13:04	Expiration of certification as canine team.
2:01:13:05	Renewal of certification as canine team.
2:01:13:06	Standards for authorization to act as canine trainer.
2:01:13:07	Standards for authorization to act as canine evaluator.
2:01:13:08	Standards for authorization to act as canine judge.
2:01:13:09	Expiration of authorization as canine trainer, canine evaluator, or canine judge.
2:01:13:10	Renewal of authorization.
2:01:13:11	Training records maintained by canine handlers.
2:01:13:12	Training records maintained by commission.
2:01:13:13	Forms.
2:01:13:14	Request for certification of canine team.
2:01:13:15	Change in eligibility of canine team.
2:01:13:16	Reevaluation upon failure.
2:01:13:17	Fees.
2:01:13:18	Revocation or suspension of certification or authorization.

2:01:13:01. Definitions. Terms used in this chapter mean:

(1) "Police service dog," a canine used by a law enforcement agency to assist a law enforcement officer or an employee of the Department of Corrections;

(2) "Canine handler," a certified law enforcement officer authorized and designated by a law enforcement agency to utilize a police service dog to perform law enforcement duties, or an employee of the Department of Corrections authorized and designated by the department to utilize a canine;

(3) "Canine team," a police service dog and a certified law enforcement officer or an employee of the Department of Corrections, assigned as the dog's exclusive handler;

(4) "Canine trainer," an individual who, as determined by the commission, meets the standards of and is qualified in accordance with the ICPSD or USPCA to train canines to serve as police service dogs, and is authorized by the commission to train canines;

(5) "Canine evaluator," a canine trainer who is recognized by the commission as having special expertise in one of the specialties set forth in SDCL 23-3-35.4, and is authorized by the commission to evaluate canines or canine teams;

(6) "Canine judge," any individual or law enforcement officer certified in South Dakota who, as determined by the commission, meets, and is qualified to act as a canine judge in

accordance with, the standards of the ICPSD or USPCA, and is authorized by the commission to conduct testing of canine trainers and canine evaluators, and certification testing of canine teams;

(7) "Department of Corrections," the South Dakota Department of Corrections created by SDCL 1-15-1.2;

(8) "ICPSD," the International Congress of Police Service Dogs;

(9) "Law enforcement agency," any state, county, municipal, tribal, or federal law enforcement agency in South Dakota and the Department of Corrections;

(10) "Commission," the Law Enforcement Officers Standards Commission created by SDCL 23-3-28;

(11) "USPCA," the United States Police Canine Association.

Source: 31 SDR 192, effective June 9, 2005.

General Authority: SDCL 23-3-35(1)(14).

Law Implemented: SDCL 23-3-35.4, 23-3-35.5.

2:01:13:02. Certification required. No state, county, or municipal agency, and no state, county, or municipal law enforcement agency or law enforcement officer may use a canine to perform or assist with the performance of the specialties set forth in SDCL 23-3-35.4, unless the canine and its handler are certified by the commission as a canine team.

Source: 31 SDR 192, effective June 9, 2005.

General Authority: SDCL 23-3-35(1)(14).

Law Implemented: SDCL 23-3-35.4, 23-3-35.5.

2:01:13:03. Standards for certification as canine team. A canine team may be certified only upon:

(1) Completion of a training program that is approved by the commission as a program designed to assist the canine team to meet the standards for canine teams as set forth in the Certification of Canine Teams Student Handbook (dated January 6, 2005) of the South Dakota Police Canine Association; and

(2) Passing an evaluation, conducted by an authorized canine judge or if designed by the commission, a canine evaluator, to determine if the canine team can perform its duties in a manner that exceeds the minimum standards required by the South Dakota Police Canine Association in its student handbook dated January 6, 2005.

Source: 31 SDR 192, effective June 9, 2005.

General Authority: SDCL 23-3-35(1)(14).

Law Implemented: SDCL 23-3-35.4, 23-3-35.5.

Reference: Certification of Canine Teams Student Handbook, January 6, 2005, South Dakota Police Canine Association, Inc. Copies may be obtained from the South Dakota Police Canine Association, Inc., % Bryan Gortmaker, 3444 East Highway 34, Pierre, South Dakota 57501, at a cost of \$2.50.

2:01:13:04. Expiration of certification as canine team. Unless renewed, certification as a canine team expires one year after the date of issuance.

Source: 31 SDR 192, effective June 9, 2005.

General Authority: SDCL 23-3-35(1)(14).

Law Implemented: SDCL 23-3-35.4, 23-3-35.5.

2:01:13:05. Renewal of certification as canine team. A canine team may renew its certification by satisfying the requirements for certification and passing a recertification evaluation prescribed and administered by a canine judge or canine evaluator designated by the commission. The canine handler of a canine team must successfully complete a recertification written examination every two years.

Source: 31 SDR 192, effective June 9, 2005.

General Authority: SDCL 23-3-35(1)(14).

Law Implemented: SDCL 23-3-35.4, 23-3-35.5.

2:01:13:06. Standards for authorization to act as canine trainer. The commission shall authorize an individual to conduct canine and canine team training if the individual:

(1) Has at least three years experience as a canine handler, and has assisted a canine judge or canine trainer in the delivery of training for police canines or canine teams; and

(2) As determined by the commission, meets the standards of the ICPSD or USPCA, and passes a written examination administered by a canine judge.

Source: 31 SDR 192, effective June 9, 2005.

General Authority: SDCL 23-3-35(1)(14).

Law Implemented: SDCL 23-3-35.4, 23-3-35.5.

2:01:13:07. Standards for authorization to act as canine evaluator. The commission shall authorize a law enforcement officer or an employee of the Department of Corrections to act as a canine evaluator if the officer or employee:

(1) Has completed supervised training under the direction of a canine judge;

(2) Demonstrates to the commission that the officer or employee possesses specialized expertise in one or more of the specialties set forth in SDCL 23-3-35.4; and

(3) Passes a written examination prescribed and administered by the commission, or a canine judge designated by the commission.

Source: 31 SDR 192, effective June 9, 2005.

General Authority: SDCL 23-3-35(1)(14).

Law Implemented: SDCL 23-3-35.4, 23-3-35.5.

2:01:13:08. Standards for authorization to act as canine judge. The commission shall authorize an individual to act as a canine judge if, as determined by the commission, the individual meets the standards of the ICPSD or USPCA for canine judges.

Source: 31 SDR 192, effective June 9, 2005.

General Authority: SDCL 23-3-35(1)(14).

Law Implemented: SDCL 23-3-35.4, 23-3-35.5.

2:01:13:09. Expiration of authorization as canine trainer, canine evaluator, or canine judge. Unless renewed, authorization as a canine trainer expires three years after the date of issuance, authorization as a canine evaluator expires two years after the date of issuance, and authorization as a canine judge expires five years after the date of issuance.

Source: 31 SDR 192, effective June 9, 2005.

General Authority: SDCL 23-3-35(1)(14).

Law Implemented: SDCL 23-3-35.4, 23-3-35.5.

2:01:13:10. Renewal of authorization. A canine trainer, canine evaluator, or canine judge may renew his or her authorization, at any time prior to its expiration, by satisfying the requirements for authorization and passing a renewal evaluation prescribed and administered by the commission or a canine judge designated by the commission.

Source: 31 SDR 192, effective June 9, 2005.

General Authority: SDCL 23-3-35(1)(14).

Law Implemented: SDCL 23-3-35.4, 23-3-35.5.

2:01:13:11. Training records maintained by canine handlers. A canine handler shall maintain records indicating:

- (1) The name and title of the canine handler;
- (2) The name and address of the agency employing and designating the handler as a canine handler; and
- (3) Any training and use of the canine.

Source: 31 SDR 192, effective June 9, 2005.

General Authority: SDCL 23-3-35(1)(14).

Law Implemented: SDCL 23-3-35.4, 23-3-35.5.

2:01:13:12. Training records maintained by commission. The commission, through the office of law enforcement training, shall maintain records as follows:

- (1) Canine team certification and recertification evaluations filed by canine judges or canine evaluators;
- (2) Applications requesting certification or recertification of canine teams or authorization or reauthorization of canine trainers, canine evaluators, or canine judges;
- (3) Records indicating the issuance or denial of certification or recertification, or authorization or reauthorization of any canine team, canine trainer, canine evaluator, or canine judge; and
- (4) The most recent copy of a canine handler's or canine evaluator's written examination.

Source: 31 SDR 192, effective June 9, 2005.

General Authority: SDCL 23-3-35(1)(14).

Law Implemented: SDCL 23-3-35.4, 23-3-35.5.

2:01:13:13. Forms. The form of all applications, evaluations, and related documents shall be prescribed by the commission. The forms may require applicants to provide information to identify the applicant, canine team, and the performance of the canine or canine team in the field or as a part of an evaluation.

Source: 31 SDR 192, effective June 9, 2005.

General Authority: SDCL 23-3-35(1)(14).

Law Implemented: SDCL 23-3-35.4, 23-3-35.5.

2:01:13:14. Request for certification of canine team. A law enforcement agency may apply to the commission for issuance of certification for a canine team. Upon receipt of the application, the commission shall designate a canine judge or canine evaluator to conduct the evaluation. The law enforcement agency and canine judge or canine evaluator shall confer with each other to arrange a time and place for the evaluation. Upon completion of the evaluation, the canine judge or canine evaluator shall file the evaluation and results with the commission and furnish a copy to the law enforcement agency.

Source: 31 SDR 192, effective June 9, 2005.

General Authority: SDCL 23-3-35(1)(14).

Law Implemented: SDCL 23-3-35.4, 23-3-35.5.

2:01:13:15. Change in eligibility of canine team. A law enforcement agency shall provide the office of law enforcement training with written notification within thirty days of any change in the status of a canine team to the extent the change affects the canine team's eligibility for certification or recertification.

Source: 31 SDR 192, effective June 9, 2005.

General Authority: SDCL 23-3-35(1)(14).

Law Implemented: SDCL 23-3-35.4, 23-3-35.5.

2:01:13:16. Reevaluation upon failure. A canine team failing an evaluation required by this chapter may, after thirty days, repeat the evaluation. A law enforcement agency may not use a canine team to perform any of the specialties set forth in SDCL 23-3-35.4 while the team is waiting to repeat a failed evaluation.

Source: 31 SDR 192, effective June 9, 2005.

General Authority: SDCL 23-3-35(1)(14).

Law Implemented: SDCL 23-3-35.4, 23-3-35.5.

2:01:13:17. Fees. An application for certification of a canine team shall be accompanied by a nonrefundable fee of \$300. An application for recertification of a canine team shall be accompanied by a nonrefundable fee of \$100. An application to retake an evaluation after a failure shall be accompanied by a nonrefundable fee of \$100. Except for the fee to retake a failed evaluation, the commission may waive any fee to the extent funds are available to pay that fee from the drug control fund.

Source: 31 SDR 192, effective June 9, 2005.

General Authority: SDCL 23-3-35(1)(14).

Law Implemented: SDCL 23-3-35.4, 23-3-35.5.

2:01:13:18. Revocation or suspension of certification or authorization. The commission may revoke or suspend the certification of any canine team or authorization of any trainer, evaluator, or judge if the team, trainer, evaluator, or judge violates any state law or rule of the commission. In addition, the commission may revoke or suspend the certification of any canine team if the team fails to maintain compliance with the standards set forth in the Certification of Canine Teams Student Handbook, (dated January 6, 2005), of the South Dakota Police Canine Association. The commission may revoke or suspend the authorization of any trainer, evaluator, or judge, if the trainer, evaluator, or judge fails to maintain eligibility with the ICPSD or USPCA.

Source: 31 SDR 192, effective June 9, 2005.

General Authority: SDCL 23-3-35(1)(14).

Law Implemented: SDCL 23-3-35.4, 23-3-35.5.

Reference: Certification of Canine Teams Student Handbook, January 6, 2005, South Dakota Police Canine Association, Inc. Copies may be obtained from the South Dakota Police Canine Association, Inc., % Bryan Gortmaker, 3444 East Highway 34, Pierre, South Dakota 57501, at a cost of \$2.50.